

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**REVIEW PETITION NO. 4 OF 2025
IN
SUIT NO. 3550 OF 1990**

Shrikant B. Hegde

...Petitioner

V/s.

Rangnath A. Haridas

...Respondent

Dr. Virendra Tulzapurkar, Senior Advocate with Mr. Mandar Soman i/b
Ms. Minakshi Surve for the Petitioner.

Mrs. Nandini Deshpande, 1st Assistant to the Court Receiver.

CORAM : ABHAY AHUJA, J.
DATE : 5th DECEMBER, 2025

PC. :

1. This Review Petition has been filed seeking review of the order dated 21st July, 2025.

2. Dr. Tulzapurkar, learned Senior Counsel appears for the Review Petitioner and submits that it is in changed circumstances after filing of the consent terms that it was agreed that the purchaser viz. Mr. Shrikant Balkrishna Hegde, who is the Review Petitioner, withdraw Rs. 3,00,000/- and interest, if any, accrued thereon from the monies lying in this Court, although the Hon'ble Supreme Court in its order dated 22nd August, 2006 had directed that the Appellant before the Hon'ble Supreme Court viz. the Respondent herein, Mr. Rangnath Anant

Haridas, would be entitled to withdraw the entire amount of Rs. 3,00,000/-. Dr. Tulzapurkar submits that since there is no lis pending before the Hon'ble Supreme Court and the monies are lying here and there is no objection to the withdrawal of the amount by the Review Petitioner, this Court may consider reviewing and recalling the order dated 21st July, 2025, by which the Interim Application No. 2314 of 2025 was allowed to be withdrawn.

3. I afraid, I am unable to agree with Dr. Tulzapurkar, learned Senior Counsel appearing for the Review Petitioner. In paragraph 9 of the order dated 21st July, 2025, this Court after hearing the learned Advocate and the Section Officer of the Department, had observed as under:-

“9. Having heard the learned Advocate as well as the learned Section Officer, I am of the view that since the Hon'ble Supreme Court had directed that the Appellant before the Supreme Court viz. Mr.Rangnath Haridas would be entitled to withdraw the amount of Rs.3,00,000/- and the agreement / MOU dated 31st August 2008 mentions that Shri. Rangnath Haridas referred to as the builder therein, has no objection if the purchaser viz. Shrikant Balkrishna Hegde withdraws Rs.3,00,000/- and interest if any accrued therefrom, from the High Court, the proper course of action for the Applicant would be to seek a modification to the order of the Hon'ble Supreme Court as the original order was passed by the Hon'ble Supreme Court and the purported agreement / MOU seeks to modify the same.”

4. As can be seen, this Court was of the view that the proper course of action for the Petitioner would be to seek a modification of the order from the Hon'ble Supreme Court as the original order was passed by the Hon'ble Supreme Court and the purported agreement/ MOU seeks to modify the same.

5. No case has been made out under Order 47 of the Code of Civil Procedure, 1908, for reviewing the aforesaid order. Accordingly, the Review Petition stands rejected.

(ABHAY AHUJA, J.)

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